

SENATE BILL 268

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2003 Regular Session  
3r0300  
CF 3r2058

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By: **Senator Hollinger (Chairman, Education, Health, and Environmental Affairs Committee)**

Introduced and read first time: January 31, 2003  
Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 3, 2003

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CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Social Work Examiners - Sunset Extension and Program**  
3 **Evaluation**

4 FOR the purpose of continuing the State Board of Social Work Examiners in  
5 accordance with the provisions of the Maryland Program Evaluation Act (Sunset  
6 Law) by extending to a certain date the termination of provisions relating to the  
7 statutory and regulatory authority of the Board; providing for the filling of  
8 certain vacancies on the Board under certain circumstances; authorizing the  
9 Board to elect certain officers; requiring that an evaluation of the Board and the  
10 statutes and regulations that relate to the Board be performed on or before a  
11 certain date; requiring the Board and the Department of Health and Mental  
12 Hygiene to submit a certain report to certain committees on or before a certain  
13 date; and generally relating to the State Board of Social Work Examiners.

14 BY repealing and reenacting, with amendments,  
15 Article - Health Occupations  
16 Section 19-202(a), 19-203, and 19-502  
17 Annotated Code of Maryland  
18 (2000 Replacement Volume and 2002 Supplement)

19 BY repealing and reenacting, without amendments,  
20 Article - State Government  
21 Section 8-403(a)  
22 Annotated Code of Maryland  
23 (1999 Replacement Volume and 2002 Supplement)

1 BY repealing and reenacting, with amendments,  
 2 Article - State Government  
 3 Section 8-403(b)(64)  
 4 Annotated Code of Maryland  
 5 (1999 Replacement Volume and 2002 Supplement)

6 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
 7 MARYLAND, That the Laws of Maryland read as follows:

8 **Article - Health Occupations**

9 19-202.

10 (a) (1) The Board consists of 11 members.

11 (2) Of the 11 Board members:

12 (i) 9 shall be licensed social workers of whom:

13 1. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, 1 is a  
 14 licensed social work associate;

15 2. SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION, 1 is a  
 16 licensed graduate social worker at the time of appointment;

17 3. At least 1 is a licensed certified social worker;

18 4. At least 4 are licensed certified social workers-clinical;

19 and

20 5. 1 is a licensed social worker employed by the Department  
 21 of Human Resources; and

22 (ii) 2 shall be consumer members.

23 (3) IF A LICENSED SOCIAL WORK ASSOCIATE OR A LICENSED GRADUATE  
 24 SOCIAL WORKER IS NOT APPOINTED TO THE BOARD UNDER ~~ITEMS 1. AND 2. OF~~  
 25 ~~SUBPARAGRAPH (I) PARAGRAPH (2)(I)1 AND 2 OF THIS SUBSECTION WITHIN SIX 6~~  
 26 MONTHS OF A VACANCY, A LICENSEE OF ANY LICENSE LEVEL SHALL BE APPOINTED  
 27 IMMEDIATELY IF THAT LICENSEE IS QUALIFIED TO BE A MEMBER OF THE BOARD  
 28 UNDER ~~SUBSECTION (C) SUBSECTIONS (B) AND (D) OF THIS SECTION.~~

29 [(3)] (4) The Governor shall appoint all members of the Board with the  
 30 advice of the Secretary and the advice and consent of the Senate.

31 [(4)] (5) The Governor shall appoint all social work members of the  
 32 Board from a list of nominees containing names submitted by:

33 (i) Professional social work associations in the State;

1 (ii) Any person who provides a statement of nomination signed by  
2 at least 25 social workers licensed in the State; or

3 (iii) The secretaries of public agencies of the State where social  
4 workers are employed.

5 19-203.

6 (a) (1) From among its members, the Board shall elect a chairman and a  
7 secretary every 2 years.

8 (2) THE BOARD MAY ELECT OTHER OFFICERS AS NECESSARY TO  
9 FULFILL THE DUTIES AND RESPONSIBILITIES OF THE BOARD.

10 (b) The Board shall determine:

11 (1) The manner of election of the chairman, [and] secretary, AND OTHER  
12 OFFICERS; and

13 (2) The duties of each officer.

14 19-502.

15 Subject to the evaluation and reestablishment provisions of the Program  
16 Evaluation Act, this title and all rules and regulations adopted under this title shall  
17 terminate and be of no effect after July 1, [2004] 2014.

18 **Article - State Government**

19 8-403.

20 (a) On or before December 15 of the 2nd year before the evaluation date of a  
21 governmental activity or unit, the Legislative Policy Committee, based on a  
22 preliminary evaluation, may waive as unnecessary the evaluation required under this  
23 section.

24 (b) Except as otherwise provided in subsection (a) of this section, on or before  
25 the evaluation date for the following governmental activities or units, an evaluation  
26 shall be made of the following governmental activities or units and the statutes and  
27 regulations that relate to the governmental activities or units:

28 (64) Social Work Examiners, State Board of (§ 19-201 of the Health  
29 Occupations Article: July 1, [2003] 2013);

30 SECTION 2. AND BE IT FURTHER ENACTED, That the State Board of Social  
31 Work Examiners and the Department of Health and Mental Hygiene shall report to  
32 the Senate Education, Health, and Environmental Affairs Committee and the House  
33 ~~Environmental Matters~~ Health and Government Operations Committee on or before  
34 October 1, 2003, in accordance with § 2-1246 of the State Government Article, on the

1 implementation of the recommendations of the Department of Legislative Services  
2 contained in the sunset evaluation report dated October 2002.

3 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
4 July 1, 2003.